


PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Article 36 and Rule 70)

Applicant's or agent's file reference 155039/CL/KR		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/NO 03/00239	International filing date (day/month/year) 04.07.2003	Priority date (day/month/year) 08.07.2002	
International Patent Classification (IPC) or both national classification and IPC E04B1/66			
Applicant ISOLA AS et al.			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the opinion II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application 			
Date of submission of the demand 17.01.2004		Date of completion of this report 26.08.2004	
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465		Authorized Officer Geiger, H Telephone No. +49 89 2399-2962	



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/NO 03/00239**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-15 as originally filed

Claims, Numbers

1-14 as originally filed

Drawings, Sheets

1/5-5/5 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-14
	No: Claims	
Inventive step (IS)	Yes: Claims	1-14
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-14
	No: Claims	

2. Citations and explanations

see separate sheet

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Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. State of the art

1.1 Reference is made to the following document:

D1: GB-A-2 217 760

1.2 **D1** is considered to represent the most relevant state of the art document.

2. Novelty / Inventive step - Article 33(2) and (3) PCT

re independent claim 1:

2.1 **D1** teaches a method of denticulation of a concrete joint between a first and a second cast section wherein a *formwork* is mounted close to the first cast section.

2.2 The subject-matter of claim **1** differs from this known method in that a *studded plate* is used as the formwork close to the first cast section, and that the studded plate or plate with protrusions is subsequently removed before the second section is cast.

2.3 The subject-matter of claim **1** is therefore new over the prior art.

2.4 The problem to be solved by the present invention may be regarded as providing a denticulation of a concrete joint that assures a safe connection of the first and second cast section which is to be realised with a minimum effort.

2.5 The solution to this problem proposed in claim **1** of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

2.6 None of the prior art documents discloses or teaches a studded plate to be used as the formwork close to the first cast section, nor does it teach to subsequently remove this plate before the second section is cast.

re independent claim 13:

2.7 Claim **13** is directed to the use of a studded plate as a formwork for denticulation of cast joints between large concrete components. The use of such a studded plate according to claim **13** is also considered novel and non-obvious with respect to the prior art (Article 33(2) and (3) PCT).

re dependent claims 1-12 and 14:

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- 2.8 Claims 1-12 and 14 are dependent on claim 1 or 13, respectively, and as such also meet the requirements of the PCT with respect to novelty and inventive step.

3. Industrial applicability - Article 33(4) PCT

- 3.1 The subject matter of all claims is industrially applicable within the meaning of Article 33(4) PCT.

4. Further remarks

- 4.1 Claim 1 is unclear owing to the wording "... studded plate is used at the formwork close to ...". The claim was interpreted to read as "... studded plate is used as the formwork close to the ..." (cf. Claim 13).
- 4.2 Claims 5 and 14 are unclear owing to the reference to a "Platon DE 25" studded plate. It is not pointed out, whether "Platon" is a registered trade mark.
- 4.3 There are no reference signs in parentheses in the claims to increase their intelligibility (Rule 6.2(b) PCT).